



# Criminal Defense Attorneys of Michigan

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The Honorable Marilyn J. Kelly  
Michigan Supreme Court  
Post Office Box 30052  
Lansing, Michigan 48909

re: *ADM File No. 2008-39*

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Dear Chief Justice Kelly:

On behalf of the Criminal Defense Attorneys of Michigan, I am writing to express CDAM's support of the proposed amendment to MCR 6.425(B) and 6.610(F) contained in ADM File No. 2008-39.

The amendments, if adopted, would require disclosure of the presentence report to the prosecutor and defense at least two business days prior to sentencing and, if not so provided, the defendant would be entitled to an appropriate adjournment of sentencing. The amendments also would entitle the parties to retain a copy of the presentence report. These amendments would help to standardize practice as it relates to these very important reports, where much inconsistency presently exists amongst the various trial courts.

In CDAM's view, both amendments would further the efficient administration of justice. The former would ensure that defendant and defense counsel have an opportunity to review, evaluate, and reflect upon the report in a timely and meaningful way. The latter would permit a defendant to more promptly and efficiently engage in post-sentence proceedings, be they appellate, probation review, parole consideration, or other proceedings where the PSR is deemed relevant.

For these reasons, CDAM urges this Court to approve the proposed amendment to MCR 6.425(B) and 6.610(F).

Sincerely,

John A. Shea, Co-Chair  
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Criminal Defense Attorneys of Michigan

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cc: Corbin R Davis, Clerk, Michigan Supreme Court